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ACTION WHA-00

INFO	LOG-00	AID-00	ACQ-00	CIAE-00	DODE-00	SRPP-00	EB-00
	VC-00	TEDE-00	INR-00	IO-00	L-00	VCE-00	AC-00
	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-00	PM-00	PRS-00
	ACE-00	P-00	SP-00	SS-00	STR-00	TRSE-00	T-00
	USIE-00	PMB-00	PRM-00	DRL-00	G-00	SAS-00	/003W
-----A4ED75							200132Z /62

P 191904Z SEP 03

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 3002

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY BRASILIA PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY QUITO PRIORITY

AMEMBASSY LISBON PRIORITY

AMEMBASSY MADRID PRIORITY

AMEMBASSY SANTIAGO PRIORITY

AMEMBASSY MEXICO PRIORITY

NSC WASHDC PRIORITY

USCINCSO MIAMI FL PRIORITY

RELEASED IN PART
B1, 1.4(D)

C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 003209

NSC FOR TSHANNON

USCINCSO ALSO FOR POLAD

E.O. 12958: DECL: 09/19/2013

TAGS: PREL, PGOV, PHUM, VE

SUBJECT: THE CNE AT 30 DAYS: UNDER FIRE BUT WORKING

REF: A. CARACAS 2945

B. CARACAS 3066

C. CARACAS 3053

D. CARACAS 3027

CLASSIFIED BY: AMBASSADOR CHARLES SHAPIRO FOR REASONS
1.5(B) AND (D)-----
SUMMARY

1. (C) THE NATIONAL ELECTORAL COUNCIL (CNE) IS EXPECTED TO ISSUE ON SEPTEMBER 22 NEW REGULATIONS FOR HOLDING A PRESIDENTIAL RECALL REFERENDUM. OPPOSITION GROUPS HAVE CRITICIZED THE DRAFT REGULATIONS AS HINDERING THE PATH TO THE REFERENDUM. NEARLY ONE MONTH INTO ITS DIFFICULT MISSION, THE

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NEW CNE BOARD HAS TO ESTABLISH IN OPERATIONAL FOUNDATION WHILE MAKING CRUCIAL DECISIONS SUCH AS ITS DECISION TO REJECT THE OPPOSITION'S AUGUST CALL FOR THE REFERENDUM. AN ILL-TIMED FIRE, TWO POLICE RAIDS TO EXAMINE SIGNATURES, INTERMITTENT DEMONSTRATIONS BY CHAVEZ SUPPORTERS AND HARSH CRITICISM FROM OPPOSITION PARTY DEMOCRATIC ACTION HAVE PROVIDED A LESS THAN FAVORABLE WORK ENVIRONMENT.

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SUMMARY.

A DRAFT BY ANY OTHER NAME

2. (C) THE BOARD OF THE NATIONAL ELECTORAL COUNCIL (CNE) ANNOUNCED SEPTEMBER 19 IT WILL ISSUE REGULATIONS FOR HOLDING RECALL REFERENDA ON SEPTEMBER 22. THE CNE DISTRIBUTED DRAFT RULES WITH POLITICAL PARTIES, SOME OF WHOM FOUND THE DRAFT CONTRADICTED THE CONSTITUTION AND VENEZUELAN ELECTION LAW. CHIEFLY, THE DRAFT LENGTHENED CONSIDERABLY THE TIMEFRAME OF HOLDING REFERENDA, AS MUCH AS TEN MONTHS ACCORDING TO

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THE DRAFT ALSO REQUIRES GROUPS SEEKING REFERENDA TO REGISTER FIRST WITH THE CNE, WHICH WOULD THEN ELABORATE THE BALLOT AS WELL AS ESTABLISH COLLECTION POINTS FOR SIGNATURES. THOSE SIGNING THE PETITION WOULD ALSO BE REQUIRED TO GIVE A FINGERPRINT WITH THEIR SIGNATURE.

3. (C) THE UPROAR OVER THE DRAFT FOCUSED ON ITS SUPPOSED AUTHOR, CNE LEGAL ADVISOR ANDRES BRITO, FORMER LEGAL COUNSEL TO THE NATIONAL ASSEMBLY AND A CHAVEZ SUPPORTER. NEWSPAPER EDITOR, AND MEMBER OF THE CNE'S POLITICAL ADVISORY BOARD, TEODORO PETKOFF CAUTIONED AGAINST OVERREACTION: IT'S JUST A DRAFT. PRO-CHAVEZ PARTIES CREATED CONFUSION BY MAKING PROPOSALS FOR RULE CHANGES SUCH AS LIMITING TO 12 HOURS THE COLLECTION OF SIGNATURES BECAUSE THAT IS HOW LONG THE POLLS WERE OPEN THE DAY CHAVEZ WAS ELECTED, OR HAVING THE RULES CHANGE THE THRESHOLD OF VOTES NEEDED TO REMOVE THE PRESIDENT THOUGH IT IS SPECIFIED IN THE CONSTITUTION. THE OPPOSITION, RATHER THAN CREATE A RIVAL VERSION OF THE DRAFT, GAVE ITS OBSERVATIONS DURING MEETINGS WITH THE CNE BOARD.

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A MONTH OF CONFLICT, INTRIGUE, AND CHAOS

4. (C) THE CNE BOARD WILL WRAP UP ITS FIRST 30 DAYS IN OFFICE ON SEPTEMBER 25. CNE PRESIDENT FRANCISCO CARRASQUERO EARNED POINTS EARLY ON WITH HIS THOUGHTFUL AND DELIBERATE CONSULTATIONS WITH POLITICAL PARTIES, OTHER BRANCHES OF THE GOV, THE MEDIA, INTERNATIONAL ORGANIZATIONS, AND THE CARTER CENTER (REF A). THE DECISION TO REJECT THE OPPOSITION'S 3.2 MILLION SIGNATURES ON SEPTEMBER 12 WAS CERTAINLY A SETBACK TO REFERENDUM ADVOCATES. THE CNE REASONED THAT THE SIGNATURES WERE INVALID FOR HAVING BEEN COLLECTED BEFORE AUGUST 19, THE MID-POINT OF PRESIDENT CHAVEZ'S TERM. THE CNE ALSO SAID THE SIGNATURE PETITION WAS NOT CORRECTLY FORMATTED.

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5. (U) THE CNE DECISION ALSO CRITICIZED THE EFFORTS OF SUMATE, THE NGO THAT OVERSAW THE COLLECTION OF MOST OF THE SIGNATURES. IT FAULTED SUMATE FOR NOT BEING A REGISTERED POLITICAL ORGANIZATION. THIS LAST POINT DREW THE IRE OF CIVIL SOCIETY REPRESENTATIVES, ANGRY THAT THE CNE SEEMED DISPOSED ONLY TO ALLOW OFFICIALLY RECOGNIZED PARTIES AND MOVEMENTS TO PARTICIPATE IN THE RECALL PROCESS.

6. (U) THE CNE HEADQUARTERS HAS ALSO BEEN THE SITE OF A CIRCUS OF MEDIA, LAW ENFORCEMENT, AND POLITICAL ACTIVITY. A PROSECUTOR INVESTIGATING THE SIGNATURES OF THE EARLIER CONSULTATIVE REFERENDUM PETITION DEPLOYED A SWAT TEAM TO SECURE HER ENTRANCE ON SEPTEMBER 4. FATHERLAND FOR ALL (PPT) SECRETARY GENERAL JOSE ALBORNOZ FOLLOWED UP THE NEXT DAY WITH A VISUAL INSPECTION OF THE RECALL REFERENDUM SIGNATURES, AND THEN LED A MARCH TO THE CNE SEPTEMBER 12 TO REINFORCE HIS ACCUSATIONS (REF B). ON SEPTEMBER 8, A FIRE BROKE OUT IN A CNE OFFICE, FORCING AN EVACUATION OF THE BUILDING. ON SEVERAL OF THESE OCCASIONS, FERVENT PRO-CHAVEZ DEMONSTRATORS RALLIED TO THE BUILDING, LOCATED IN A PRO-CHAVEZ AREA OF CARACAS. PUSHING AND SHOVING WAS COMMON DURING THESE DEMONSTRATIONS.

ACCUSATION OF U.S. PRESSURE

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7. (C) THE AMBASSADOR'S VISIT TO THE CNE SEPTEMBER 3 TO OFFER TECHNICAL ASSISTANCE (REF C) BROUGHT HARSH CRITICISM FROM THE GOV AND PRO-CHAVEZ GROUPS, ACCUSING THE USG OF ENCROACHING ON VENEZUELAN SOVEREIGNTY. PRESIDENT CHAVEZ RESORTED TO PERSONAL ATTACKS AGAINST THE AMBASSADOR ON HIS WEEKLY TELEVISION SHOW (REF D). A CALL FROM AN FSN REQUESTING A MEETING WITH THE CNE'S LEGAL ADVISOR

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WAS REBUKED PUBLICLY BY PRO-CHAVEZ PODEMOS LEADER ISMAEL GARCIA, ALLEGING IT WAS PROOF OF THE EMBASSY'S INTENT TO "BLACKMAIL" AND "PRESSURE" THE CNE. THE GOV RESURFACED ACCUSATION OF USG INVOLVEMENT IN THE ATTEMPTED COUP OF APRIL 11, 2002, INVOKING THE COUP AGAINST SALVADOR ALLENDE 30 YEARS AGO, THROUGH PUBLIC COMMENTS AND DOCUMENTARIES ON THE STATE-RUN TELEVISION STATION.

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